



INITIATION OF SPECIAL LEGISLATION BY SPECIAL TAXING DISTRICTS

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ISSUE

Explain the statutory process special taxing districts must follow to request special legislation.

PROCESS

State law authorizes two methods for special taxing districts to bring a proposal for special legislation before the legislature. Under the first method, the district's board of directors or district committee must adopt a resolution by a two-thirds vote requesting the legislation and specifying the purpose for it. Alternatively, at least 10% of the district's voters may sign a petition supporting the action. They must file the petition with the district's clerk, who must determine its sufficiency.

In either case, the district clerk must file a certified copy of the resolution or petition with the secretary of the state at least 10 days before the start of the legislative session ([CGS § 2-14](#)). Once the session begins, the legislature may consider the proposal.

According to two Superior Court decisions, a district's failure to comply with CGS § 2-14 does not prohibit the legislature from passing special legislation concerning that district: "[T]o the extent that the requirements of General Statutes § 2-14 were not adhered to, or are in conflict with the Special Act, those requirements are deemed ineffective as applied to [the special act]" (*Albahary v. City of Bristol*, 1999 WL 185131 at 5, see also *AFSCME, Council 4, Local 681 v. West Haven*, 43 Conn. Supp. 470, 489, 662 A.2d 160, Aff'd, 234 Conn. 217, 661 A.2d 581 (1995)).

RP:cmg